

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: Emily A. Steigerwald**Debtor(s)****PNC BANK, NATIONAL ASSOCIATION, its
successors and/or assigns****Movant****vs.****Emily A. Steigerwald****Respondent(s)****BK NO. 23-10130 CMB****Chapter 13****Related to Document No. 12****Hearing Date: 6/6/2023**

**OBJECTION OF PNC BANK, NATIONAL ASSOCIATION, ITS SUCCESSORS AND/OR
ASSIGNS
TO CONFIRMATION OF CHAPTER 13 PLAN**

PNC BANK, NATIONAL ASSOCIATION, objects to confirmation of Debtor's Chapter 13 Plan and asserts in support of its Objection as follows:

1. Movant's claim is secured by a mortgage on Debtor's property at 2169 South Manor Drive Erie, PA 16505.
2. On April 11, 2023, Movant filed a secured proof of claim setting forth pre-petition arrears in the amount of \$16,449.13.
3. Debtor's Plan provides for payment in the amount of \$0.00 towards the arrearage claim of the Movant.
4. The Debtor's plan fails to address the Secured Creditor's claim. The loan modification is remote and speculative. The Debtor cannot modify the loan without the consent of the Secured Creditor. Therefore, the plan cannot be confirmed unless and until a loan modification is agreed to and approved by the Court.
5. Debtor's Plan understates the amount of the Movant's claim by \$16,449.13, and does not provide sufficient funding to pay said claim including present value interest.
6. Accordingly, Debtor's Plan is not feasible, as it does not fully compensate the Movant.
7. In addition, the Debtor's Plan fails to comply with 11 U.S.C. §§ 1322 and 1325.

WHEREFORE, the Movant, PNC BANK, NATIONAL ASSOCIATION, prays that the Court deny confirmation of the Debtor's Plan.

Respectfully submitted,

Date: May 26, 2023

By: /s/ **Brian C. Nicholas, Esquire**

Brian C. Nicholas, Esquire

BNicholas@kmlawgroup.com

Attorney I.D. No. 317240

KML Law Group, P.C.

701 Market Street, Suite 5000

Philadelphia, PA 19106

Phone: 412-430-3594

Attorney for Movant/Applicant